

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUN 21 2005

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THE UNITED STATES OF AMERICA, and
PEOPLE OF THE STATE OF ILLINOIS,

Plaintiffs,

v.

OUTBOARD MARINE CORPORATION,

Defendant,

and THE CITY OF WAUKEGAN, ILLINOIS,

Defendant-Intervenor.

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

CIVIL ACTION NO. 88-C-8571

JUDGE CHARLES R. NORGLE, SR.

**UNITED STATES' UNOPPOSED MOTION TO ENTER
PROPOSED SUPPLEMENTAL CONSENT DECREE**

Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency ("U.S. EPA"), hereby moves the Court to enter the proposed Supplemental Consent Decree among the United States on behalf of the U.S. EPA, the State of Illinois (the "State") (collectively, "Government Plaintiffs") and the Defendant-Intervenor, City of Waukegan, Illinois (the "City"), under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. §§ 9601- 9675; the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901- 6992k; the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq.; and other authorities. The Supplemental Consent Decree was lodged with the Court on March 31, 2005. The Government Plaintiffs, the United States and the State, and the Defendant-Intervenor City entered into the proposed Supplemental Consent Decree relating to Existing Contamination at a portion (the "Property") of

the Outboard Marine Corporation Superfund Site ("OMC Site"), located in Waukegan, Lake County, Illinois.

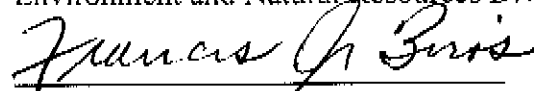
The United States Department of Justice published notice of the lodging of this First Amendment to the Consent Decree on April 14, 2005, and provided an opportunity for public comment on the proposed Supplemental Consent Decree for a period of thirty days.

Sec 70 Fed. Reg. 19784-85. The comment period has expired, and as discussed in the accompanying Memorandum in Support of the United States' Unopposed Motion to Enter Proposed Supplemental Consent Decree ("Memorandum"), the United States received no comments on the proposed Supplemental Consent Decree.

WHEREFORE, for the reasons stated in the accompanying Memorandum, and because the settlement is fair, reasonable, consistent with the purposes of CERCLA and in the public interest, the United States requests the Court to enter the proposed Supplemental Consent Decree, as a final judgment. Original signature pages of the executing Parties to the Supplemental Consent Decree are attached.

Respectfully submitted,

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